

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1896 - SB 2033

April 1, 2014

**SUMMARY OF ORIGINAL BILL:** Requires the Comptroller of the Treasury to prepare a report on the effectiveness of current rules issued by the Board of Medical Examiners, the Board of Nursing, the Committee on Physician Assistants, and the Board of Cosmetology, concerning patient safety during cosmetic procedures in this state. The report shall, at a minimum, identify areas of deficiency in the rules, including, but not limited to, lack of oversight in safety protocols, insufficient educational or training prior to the provision of services, and other such deficiencies. The Comptroller shall present the report to the Health Committee of the House of Representatives and the Health and Welfare Committee of the Senate on or before January 1, 2015.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

**SUMMARY OF AMENDMENTS (015394, 015476, 015596):** Requires any medical spa in this state to, in advertisements and signage located at any such practice site, provide the credentials or lack thereof of the respective medical director or supervising physician. Defines "medical spa" as any entity which offers or performs cosmetic medical services; provided, that the medical spa shall not include a practice owned by a physician. Defines "cosmetic medical services" as any service that uses a biologic or synthetic material, a chemical application, a mechanical device, or a displaced energy form of any kind that alters or damages, or is capable of altering or damaging living tissues to improve the patient's appearance or achieve an enhanced aesthetic result.

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENTS:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- No punishment is provided for individual or entities failing to adhere to the provisions of this legislation.
- This will have no effect on the Department of Health, Board of Medical Examiners or Board of Osteopathic Examination.

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- Pursuant to Tenn. Code Ann. § 4-29-121, all health related boards are required to be self-supporting over a two-year period. The Board of Medical Examiners had closing balances of \$687,808 in FY11-12, \$288,380 in FY12-13, and a closing reserve balance of \$2,441,396 on June 30, 2013. The Board of Osteopathic Examination had closing balances of \$117,644 in FY11-12, \$101,696 in FY12-13, and a closing reserve balance of \$446,900 on June 30, 2013.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "Lucian D. Geise". The signature is fluid and cursive, with the first name "Lucian" written in a larger, more prominent script than the last name "Geise".

Lucian D. Geise, Executive Director

/jdb